

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

Case No:14-90368
Chapter 7
Hon: DALES

Foster/jennifer

Debtor(s).

CHRISTOPHER E. FRANK (P67169)
cfrank@theleducgroup.com
Attorney for Creditor
6 Parklane Blvd, Ste 665
Dearborn, MI 48126
(313) 914-5846

David Bulson
402 Ashmun St
POB 579
Sault St Marie, MI 49783
906-632-1118

MOTION FOR RELIEF FROM AUTOMATIC STAY

Now comes, Credit Union One, by and through its attorneys, The Leduc Group, and states for its Motion for Relief the following:

1. Debtor filed for relief under Chapter 7 of the United States Bankruptcy Code on or about October 22, 2014.
2. As of the date of filing, Debtor was indebted to Creditor in the amount of \$12,281.21 , said debt being secured by a duly perfected security interest in 2009 Dodge Grand Caravan which has a fair market value at the time of filing of \$11,000.00 (copies of the Secured Loan Documents are attached).
3. The debtor is currently past due in the amount of \$711.00 plus late fees and interest.
4. Other than the Debtor and this Creditor, no other party claims an interest in the secured property.
5. That the Debtor has no non-exempt equity in the Collateral and the Collateral is not necessary for the effective reorganization of the Debtor.
6. Creditor sought concurrence on this motion on January 14, 2015, but no response was ever received.

WHEREFORE, Credit Union One, requests this Court to enter an order terminating the automatic stay for the purpose of allowing the Creditor to take possession of, and foreclose its security interest on, the Collateral.

Dated: 1/23/2015

By: /S/ Christopher E. Frank
Christopher E. Frank (P67169)
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ORDER FOR RELIEF FROM AUTOMATIC STAY

THIS MATTER having come before this Court upon the motion of Credit Union One and is appearing to this Court that the Creditor holds a perfected security interest in a 2009 Dodge Grand Caravan VIN 2D8HN54149R636597 and that sufficient cause exists for the termination of the automatic stay;

IT IS HEREBY ORDERED that the Automatic Stay is terminated for the purpose of the permitting the Creditor to take possession of and to foreclose its security interest in the Debtor's 2009 Dodge Grand Caravan and entry of this Order hereby waives Bankruptcy Rule 4001(a)(3); and Creditor shall account to the Court of the proceeds of the sale in the event of any excess funds. Those funds shall be paid to the Chapter 7 Trustee;

IT IS FURTHER ORDERED that the Debtor shall disclose the whereabouts of, or turnover the Collateral, to the Creditor within 10 days of the entry of this Order.

U.S. Bankruptcy Judge

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NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY

Credit Union One has filed papers with the Court for relief from the automatic stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to order relief from the automatic stay, or if you want the court to consider your views on the motion, within 15 days, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:

United States Bankruptcy Court
Post office Bldg, Room 314
PO Box 909
Marquette, MI 49855

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Christopher E. Frank Esq.
The Leduc Group
6 Parklane Blvd, Ste 665
Dearborn, MI 48126
cfrank@theleducgroup.com
313-914-5846

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: 1/23/2015

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PROOF OF SERVICE

Christopher E. Frank hereby certifies that on 01/23/15 she served a copy of the following documents via ECF filing or US First Class Mail:

- **Motion for Relief for Relief from the Automatic Stay**
- **Notice of Motion for Relief from the Automatic Stay**
- **Proposed Order**
- **Proof of Service**

upon:

Darrell Dettman, Trustee

David Bulson, Debtor Attorney

Via: First Class Mail
Foster/jennifer Debtor
Po Box 941
St Ignace, MI 49781

Dated: 01/23/15

/S/ Christopher E. Frank
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